

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

|                                  |   |                                 |
|----------------------------------|---|---------------------------------|
| RALPH S. JANVEY, <i>et al.</i> , | § |                                 |
|                                  | § |                                 |
| Plaintiffs,                      | § |                                 |
|                                  | § |                                 |
| v.                               | § | Civil Action No. 3:10-CV-0527-N |
|                                  | § | (JURY TRIAL DEMANDED)           |
| BEN BARNES, <i>et al.</i> ,      | § |                                 |
|                                  | § |                                 |
| Defendants.                      | § |                                 |

**APPENDIX IN SUPPORT OF BEN BARNES GROUP, L.P.'S  
RESPONSE TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Defendant Ben Barnes files this Appendix in Support of its Response to Plaintiffs' Motion for Summary Judgment (the "Motion"). Defendant Ben Barnes incorporates the contents of the Appendix for all purposes within Barnes's Motion.

|      | <b><u>Document Description</u></b>   | <b><u>Appendix Page<br/>Numbers</u></b> |
|------|--|---|
| A.   | Affidavit of Kent Caperton   | App. 001-004                            |
| B.   | Affidavit of Jay J. Madrid, attached to which are the following Exhibits:                                  | App. 005-006                            |
| B.1. | Deposition of James Milton Davis, October 24, 2014, and various exhibits attached thereto ("Davis Dep.").  | App. 007-090                            |
| B.2. | Deposition of Benny Frank Barnes, October 28, 2014, and various exhibits attached thereto ("Barnes Dep."). | App. 091-217                            |
| B.3. | True and correct copy of "America's Third Border".   | App. 218-234                            |
| B.4. | Report of Defendants' Expert James C. Langdon, Jr.   | App. 235-239                            |

Respectfully submitted,

**WINSTEAD PC**

By: /s/ Jay Madrid

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**ATTORNEYS FOR DEFENDANT  
BEN BARNES**

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2015, I electronically filed the foregoing document with the Clerk of the Court for the Northern District of Texas, Dallas Division, by using the CM/ECF system which will send notification of such filing to all CM/ECF participants and counsel of record.

/s/ Jay Madrid  
Jay J. Madrid